

Arizona Criminal Justice Commission
Minutes
July 22, 2010

A public meeting of the Arizona Criminal Justice Commission was convened on July 22, 2010 at Little America Hotel, 2515 East Butler Avenue, American C Room, Flagstaff, AZ 86004.

Members Present:

Ralph Ogden, Vice-Chairperson, Yuma County Sheriff
John Armer, Gila County Sheriff
Joseph Arpaio, Maricopa County Sheriff, Jesse Locksa representing by conference call
Duane Belcher, Chairperson, Board of Executive Clemency, Erin Warzecha representing
Dave Byers, Director, Administrative Office of the Courts, Jerry Landau representing
Clarence Dupnik, Pima County Sheriff, Warren Alter representing
Terry Goddard, Attorney General, Gerald Richard representing
Robert Halliday, Director, Department of Public Safety
Barbara LaWall, Pima County Attorney
Richard Romley, Maricopa County Attorney, Jim Keppel representing
Charles Ryan, Director, Department of Corrections
David Sanders, Pima County Chief Probation Officer by conference call
Linda Scott, Former Judge
Daniel G. Sharp, Chief, Oro Valley Police Department
George Silva, Santa Cruz County Attorney by conference call
Carl Taylor, Coconino County Supervisor

Members Absent:

Dan Hughes, Chairperson, Chief, Surprise Police Department
Robert Huddleston, Chief, Casa Grande Police Department

Staff Participating:

John A. Blackburn, Jr., Executive Director
Wendy Boyle, Executive Secretary

I. Call to Order and Roll Call

The meeting was called to order by Vice Chairperson Ralph Ogden at 1:30 PM. Roll was taken and a quorum was declared present.

II. Minutes of the May 20, 2010 Meeting

Vice Chairperson Ogden called for a motion to adopt the minutes. A motion was made by Commissioner Robert Halliday and seconded by Commissioner Barbara LaWall to approve the minutes of the May 20, 2010 meeting. The motion passed unanimously by the Commission.

III. Executive Director's Report

A. Staff Update

Executive Director Blackburn stated that ACJC is down eight staff positions; however, the hiring process is in place for an auditor vacancy and the posting of another grant coordinator position. The other six positions will remain vacant to help meet the salary reductions, furlough days and other monies that are sent to the general fund. Executive Director Blackburn explained that the state begins the first of the mandatory furlough days on July 23, 2010 with a total of 12 designated days to be taken in FY11 and FY12. The legislature could add additional days, depending on the decline of the state budget.

B. Budget Update

Executive Director Blackburn reported that the state budget revenue sources remain low but show signs of leveling off. According to the Joint Legislative Budget Committee (JLBC), the deficit for FY10 is \$150M, and FY11 projection shortfalls could range from \$370M to \$1.2 billion. ACJC has begun to experience cash flow difficulties because of the extreme cuts to programs; our stakeholders have been made aware of the situation.

C. Legislative Update

Mary Marshall, Public Information Officer presented the 2010 ACJC Legislative Summary. Ms. Marshall reviewed some the challenging issues for criminal justice stakeholders that included the immigration bill, various changes to the concealed weapons requirements and other firearms statutes. There were successful legislative agendas that included: 1) S1025 authorizing ACJC to adopt rules for the purpose of allocating fund monies related to the Criminal Justice Enhancement Fund (CJEF); 2) S1266 establishing the juvenile offenses of using an electronic device to transmit or display visual sexual material involving minors and possessing such visual depictions; 3) S1122 adding wireless communication devices and multimedia storage devices to the list of contraband items not permitted in a correctional facility or juvenile secure care facility; and 4) S1123 establishing the Community Corrections Enhancement Fund (CCEF) to be administered by the Department of Corrections, consisting of fees for community supervision, parole, GPS monitoring and home arrest; and increasing monthly supervision fees for prisoners on supervised parole or under community supervision. Lastly, the most critical issue was the budget shortfall that necessitated six special legislative sessions between July 1, 2009 and April 29, 2010. The sessions resulted in more than \$10M in cuts to ACJC's programs.

The Executive Director's report was presented for informational purposes and did not require Commission action.

IV. Full Service Forensic Crime Laboratory Grant Program

Executive Director Blackburn presented staff's recommendation for the allocation of FY11 funds from the Full Service Forensic Crime Laboratory Grant Program to the five full service laboratories in the amount of \$900,000. All of the labs have agreed to the allocation formula.

Commissioner Daniel Sharp motioned that the Commission approve the funding proposal as shown on pages 11 and 12 of the agenda. The motion was seconded by Commissioner Linda Scott. The motion passed unanimously.

V. 2012 ACJC Budget

Executive Director Blackburn reviewed the 2012 ACJC budget and presented three handouts to the Commissioners. The first handout covered the budget reductions and fund transfers for FY08, FY09, FY10 and FY11. The following accounts showed a decline in revenue in FY10: 1) Criminal Justice Enhancement Fund (CJEF) and Fill the Gap monies at four percent; 2) Drug Enforcement Account (DEA) at 19 percent; and 3) DUI Abatement Fund at 12 percent. Also, there was an increase in the Drug and Gang Resource Center account revenues due to rising court fees. Next, Executive Director Blackburn explained that ACJC has again identified the criminal justice records integration system as the critical budget issue to be presented to the legislature in FY12 and will request funding in the amount of \$8M for the next four years. Lastly, Executive Director Blackburn provided an overview of the FY10 and FY11 agency budget which offered insight into how the FY12 budget was developed. The Commission was advised that there could be changes to the budget before it is submitted by September 1, 2010; therefore, staff recommends that the Commission agree in concept to the proposed budget for FY12.

After review and discussion, a motion was made by Designee Jerry Landau, and seconded by Designee Gerald Richard, to adopt the proposed critical issue and budget concept for FY12. The motion passed unanimously.

VI. CJEF Distribution Formula

Executive Director Blackburn explained how A.R.S. 41-2405.7 requires ACJC to make a recommendation to the Governor and Legislature on the purpose and distribution formula for Criminal Justice Enhancement Fund (CJEF). Following a review, ACJC staff recommends no change to the current allocation formula and purpose of the fund.

After review, Commissioner Daniel Sharp moved and Designee Warren Alter seconded the motion to accept staff's recommendation not to change the current purpose and distribution formula for Criminal Justice Enhancement Fund. The motion passed unanimously.

VII. Executive Steering Committee for Integration

Executive Director Blackburn explained that the Executive Steering Committee for Integration of the Commission was formed in 2000 to develop the integrated criminal justice information system (CJIS). The last activity for the Executive Steering Committee for Integration was the approval of the state strategy in November 2006. However, the Policy and Technical teams that reported to the Executive Steering Committee for Integration have continued to meet regularly. Staff's recommendation is to streamline the reporting process by eliminating the Executive Steering Committee for Integration and have the Policy and Technical teams report directly to the Information Technology Committee or to the Commission.

It was moved by Designee Gerald Richard, and seconded by Commissioner Linda Scott to approve the elimination of the Executive Steering Committee for Integration and have the Policy and Technical teams move forward with future proposals through the Information Technology Committee or to the Commission. The motion passed unanimously.

VIII. Call to the Public

Vice Chairperson Ralph Ogden made a call to the public. No members of the audience addressed the Commission.

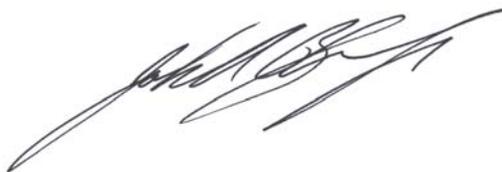
IX. Date, Time, and Location of Next Meeting

The next Arizona Criminal Justice Commission meeting will be held on **September 23, 2010** at **1:30 PM** at the Arizona Criminal Justice Commission, 1110 W. Washington, Suite 250, Phoenix, Arizona.

X. Adjournment

The meeting was adjourned at 2:35 PM.

Respectfully submitted,



John A. Blackburn, Jr.
Executive Director

Audio recording is available upon request.